IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929

WP(C).No. 33694 of 2007(J)

PETITIONER:
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1. **V.N.SASI, S/O.NANU, VALUPARAMBIL HOUSE, MANIYAR P.O., VADASSERIKKARA, (OPERATOR/WATCHER/TIME KEEPER, PAMBA IRRIGATION PROJECT, PIP SECTION NO.IV, MANIYAR, PIP SUB DIVISION, KOZHENCHERRY UNDER PIP DIVISION, CHENGANNOOR).**

2. **K.M.BIJU, S/O.M.N.KUNJUMON, PIP QUARTERS, MANIYAR P.O., VADASSERIKKARA (OPERATOR/WATCHER/TIME KEEPER, PAMBA IRRIGATION PROJECT, PIP SECTION NO.IV, MANIYAR, PIP SUB DIVISION, KOZHENCHERRY UNDER PIP DIVISION, CHENGANNOOR).**

3. **S.PRASAD, S/O.V.SIDHARTHAN, PUSHPA VILASAM, MANIYAR P.O., VADASSERIKARA (OPERATOR/WATCHER/TIME KEEPER, PAMBA IRRIGATION PROJECT, PIP SECTION NO.IV, MANIYAR, PIP SUB DIVISION, KOZHENCHERRY UNDER PIP DIVISION, CHENGANNOOR).**

4. **P.C.SIMON, S/O.DANIEL P.C., PARACKUKIZHAKKETHIL, PAMPINI P.O., CHITTAR PATHANAMTHITTA (OPERATOR/WATCHER/TIME KEEPER, PAMBA IRRIGATION PROJECT, PIP SECTION NO.IV, MANIYAR, PIP SUB DIVISION, KOZHENCHERRY UNDER PIP DIVISION, CHENGANNOOR).**

5. **T.N.MOHANAN NAIR, S/O.NARAYANAN NAIR, THOMAYIL HOUSE, MALLASSERY P.O., PRAMADAM (OPERATOR/WATCHER/TIME KEEPER, PAMBA IRRIGATION PROJECT, PIP SECTION NO.IV, MANIYAR, PIP SUB DIVISION, KOZHENCHERRY UNDER PIP DIVISION, CHENGANNOOR).**

6. K.HARIKUMAR, S/O.C.R.THANKAPPAN,
   CHIRAKAPARAMBIL, MANIYAR P.O. VADASSERIKARA
   (OPERATOR/WATCHER/TIME KEEPER, PAMBA IRRIGATION
   PROJECT, PIP SECTION NO.IV, MANIYAR, PIP SUB
   DIVISION, KOZHENCHERRY UNDER PIP DIVISION,
   CHENGANNOOR).

7. SUNIL RAJAN K., S/O.M.N.NATARAJAN,
   KAVUPURAYIL, MANIYAR P.O., VADASSERIKARA
   (OPERATOR/WATCHER/TIME KEEPER, PAMBA IRRIGATION
   PROJECT, PIP SECTION NO.IV, MANIYAR, PIP SUB
   DIVISION, KOZHENCHERRY UNDER PIP DIVISION,
   CHENGANNOOR).

8. JOHN THOMAS, S/O.T.V.THOMAS,
   THIKKOYIPURATH, KOLABHAGOM P.O. THADIYOOR
   (OPERATOR/WATCHER/TIME KEEPER, PAMBA IRRIGATION
   PROJECT, PIP SECTION NO.IV, MANIYAR, PIP SUB
   DIVISION, KOZHENCHERRY UNDER PIP DIVISION,
   CHENGANNOOR).

BY ADV. SRI.S.SUBHASH CHAND

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE
   SECRETARY TO GOVERNMENT, WATER RESOURCES
   DEPARTMENT, GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER, OFFICE OF THE
   CHIEF ENGINEER, IRRIGATION & ADMINISTRATION,
   THIRUVANANTHAPURAM.

3. THE EXECUTIVE ENGINEER,
   OFFICE OF THE EXECUTIVE ENGINEER,
   PIP DIVISION, CHENGANNOOR.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI ,J.

WP(C).NO. 33694 of 2007

Dated this the 15th day of November, 2007

JUDGMENT

The petitioners are working as Operators/Watchers/time keepers in the Pamba Irrigation Project. According to the petitioners, they have been working on daily wage basis for the past several years. They claim revision of wages in terms of Exts.P1, P3 and O4 orders. According to them, the claim made by similarly situated persons was directed to be considered by this Court in Exts.P4 and P9 judgments and it came to be accepted by the Government when they passed Exts.P5,P6,P7 and P9(a) orders. Petitioners have filed a representation raising their claim in this regard before the Government under Ext.P10. They also produced judgments passed by this Court as already referred to above .

2. After having heard the Government Pleader also, the writ petition is disposed of directing the first respondent to consider and pass appropriate orders on Ext.P10 in the light of Exts.P4 and P9 judgments and the relevant government orders. If

similarly situated persons have been granted the benefits, there is no reason that the petitioner's claim also should not be accepted. Before a decision is taken, the first petitioner as a representative of the other petitioners as well, shall be heard in this matter. At the same time, I make it clear that I have not expressed any opinion on the merits of the claim raised by the petitioners.

V. GIRI, JUDGE

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